

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'13 JUL 23 P1:33

SENATE

S. No. **1081**

RECEIVED BY: *ju*

Introduced by **Senator FRANCIS G. ESCUDERO**

EXPLANATORY NOTE

Every citizen enjoys the fundamental right to be free from discrimination which arises from his or her race, religion or ethnicity. The importance of this fundamental right cannot be overemphasized, especially in a country such as ours with a rich and diverse socio-cultural background. A peek into our history will reveal that stereotyping based on religion and ethnic background is one of the major barriers that our country has to hurdle in order to progress—hampering as it does efforts to unite the nation.

Stereotyping typically casts particular groups of people in a particular mold simply because of race, religion or ethnicity. Rooted in bigotry, it ascribes to these groups certain negative traits, such as when a person suspected of being involved in a crime is referred to as a “Muslim suspect”, when no such identification is made when such a suspect belongs to the Christian or other religions. This creates mistrust among our people and our institutions. It seriously erodes public confidence, discourages people from taking advantage of opportunities, effectively denies basic services to the most vulnerable sectors and thus creates a long-lasting negative impact both to the economy and to the community.

Individuals who belong to the stereotyped communities feel a diminished sense of citizenship, a feeling of being an unequal member of society even though we purport to live under one flag and one country. They also feel singled-out, simply because they belong to these stereotyped communities or groups. Thus, it also disempowers communities and creates divisions and an unwillingness to identify with and submit to the laws of the country.

This bill does not purport to be a panacea to cure these age-old ills. It is however believed that a greater knowledge and consciousness about the dangers of stereotyping and racial-cultural profiling will go a long way in mending and improving relations among the diverse members of our community and country.

Urgent passage of this measure is therefore proposed.

FRANCIS G. ESCUDERO



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AN ACT
PROHIBITING STEREOTYPING BASED
ON RELIGIOUS OR ETHNIC ORIGIN

Be it enacted by the Senate and the House of Representatives of the Republic of the Philippines in Congress assembled:

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2 **SECTION 1.** *Short Title.* This Act shall be known and cited as the "Anti-Religious
3 and Ethnic Stereotyping Act."

4 **SEC. 2.** *Declaration of Policy.* It is the policy of the State, as enshrined in the
5 Constitution, and as part of its obligations as State-Party to various International Human Rights
6 Covenants, particularly the Universal Declaration of Human Rights, the International Covenant on
7 Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,
8 to uphold human dignity and the equality of all persons, regardless of race, age, gender, ethnicity
9 or religion. As such, the State shall not allow the commission of acts which directly or indirectly
10 derogate these fundamental Human Rights. More particularly, the State denounces and renounces
11 all forms of discrimination based on the stereotyping or profiling of a person or class of persons
12 based upon ethnicity or religion.

13 **SEC. 3.** *Definitions.* For purposes of this Act, the following terms shall have the
14 following meanings:

15 a) Stereotype. –a stereotype shall refer to a thought adopted about specific kinds of
16 religions or ethnicities, or persons who practice a specific religion or who belong to a specific
17 ethnic background, specifically with reference to their beliefs and ways of doing things, which are
18 based upon oversimplified opinions or intolerant attitudes, regardless of whether such thoughts or
19 beliefs accurately reflect reality.

20 b) Stereotyping. –refers to any act or combination of acts which shall result in
21 the singling out or profiling of a person or class of persons based on a Stereotype as defined in the
22 immediately preceding section, which results in a derogatory attitude towards or any derogatory
23 treatment against such person or class of persons.

1 c.) Religion. – refers to any organized form of belief or worship.

2 d.) Ethnic Origin. –refers or relates the classification of people based on common racial,
3 national, tribal, religious, linguistic, or cultural origin or background

4 **SEC. 4.** *Prohibited Acts.* The following shall be prohibited under this Act:

5 a.) *Discriminatory Treatment.* - It shall be unlawful for any person to treat another
6 person differently or less favourably on account of any stereotypes associated with that person's
7 religion or ethnic origin in media, employment, education, delivery of basic goods and services
8 and other analogous circumstances, where the person treated as such is discriminated against on
9 account of his or her religion or ethnic origin.

10 b.) *Religious or Ethnic Stereotyping or Profiling.* - It shall be unlawful for any person to
11 single-out or profile a person or class of persons based solely on account of religion or ethnic
12 origin, such that it shall be made to appear that any act committed or any attitude taken by such
13 person or class of persons is borne solely on account of his/her/their religion or ethnicity.

14 **SEC. 5.** *Penalty.* – Any person, whether real or juridical, who after due hearing shall
15 be found to have committed the acts described in the immediately preceding Section shall be held
16 guilty of violating this Act and shall be meted the following:

17 a.) First Offence – A fine not lower than Thirty Thousand Pesos, (PhP 30,000.00) but not
18 exceeding One Hundred Thousand Pesos (PhP 100,000.00) at the discretion of the Court;

19 b.) Succeeding Offences – Any person who having already been convicted of violating
20 this Act shall be found to have committed another, separate violation thereof, shall after due
21 hearing and conviction be made to suffer a fine not lower than Two Hundred Thousand Pesos (PhP
22 200,000.00) but not exceeding Five Hundred Thousand Pesos (PhP 500,000.00); OR imprisonment
23 for a term of at least Thirty (30) Days but not exceeding Six (6) Months; OR both such fine and
24 imprisonment at the discretion of the Court, as the case may be.

25 **SEC. 5.** *Separability Clause.* If any provision or part hereof is held invalid or
26 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
27 valid and subsisting

28 **SEC. 6.** *Effectivity Clause.* This Act shall take effect fifteen (15) days from its
29 publication in at least two newspapers of national circulation.

30 *Approved,*